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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 3424, *dated the 2nd January* 1926.

The Report of the Select Committee appointed to consider the Bill to further amend the Mysore Municipal Regulation, VII of 1906, which was printed in the *Mysore Gazette*, dated the 17th December 1925, is reprinted below. Some mistakes which were observed have been corrected here and the changes proposed by the Select Committee are clearly exhibited.

By Order,
R. RANGA RAO,
Secretary, Legislative Council.

REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER THE BILL FURTHER TO AMEND THE MYSORE MUNICIPAL REGULATION, VII OF 1906.

We, the Members of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation, met and considered the Bill at eight sittings. Mr. B. Narasinga Rao expressed his unwillingness to serve on the Committee and did not attend the meetings. The clauses in the Bill which in our opinion require changes, the amendments proposed by us and the reasons therefor are noted below. We recommend that the Bill as amended by us may be passed by the Council.

(Signed) B. NAGAPPA.
" C. NARASIMHAIYYA.*
" B. K. GARUDACHAR.*
" K. SHANKARANARAYANA RAO.
" J. RUDRAPPA.
" B. V. RAMASWAMY CHETTY.
" C. SRIKANTESVARA AIYAR.
" MOHAMED ABBAS KHAN.
" P. G. D'SOUZA.
" K. CHANDY (*Chairman*).

*Signed subject to the dissenting note appended.
‡Signed subject to dissenting to the principle of voting without actual payment of taxes.

[NOTE.—The words omitted, transposed, substituted or inserted by the Select Committee are shown within square brackets. Portions of the clauses not considered necessary to be printed are indicated by asterisks and those requiring special attention are printed in thick type.]

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
SECTION 10—PROVISO TO SUB-SECTION (1). Provided that the number of elected Councillors shall be not less than two-thirds, one-half and one-third of the whole number, inclusive of the President, in City, Town and Minor Municipal Councils respectively and that not more than one-half of the nominated councillors shall be salaried servants of Government.	1. For the proviso to sub-section (1) of Section 10, the following shall be substituted :— ["Provided that] the number of elected Councillors shall not be less than [two-thirds and one-half of the whole number, inclusive of the President, in the case of City and other Municipal Councils respectively, and that not more than one-half of the nominated councillors shall be salaried servants of Government."]	1. For the proviso to sub-section (1) of Section 10, the following shall be substituted :— In specified proportions. "[(1*a*)] The number of elected councillors shall not be less than [**two-thirds in the case of City Municipal Councils and not less than one-half, in the case of other Municipal Councils,** of the whole number of Councillors; and of the number of nominated councillors, the **salaried servants of the Government, if any, shall not exceed one-half.** Provided that **when a President appointed** by Government under clauses (*a*) and (*b*) of Sub-section (2) of Section 23 or when a **President elected** under clause (*d*) of the same Sub-section **is not a Councillor,** the **two-thirds and one-half of the whole number** metioned in this Section **shall be exclusive of the President** so appointed or elected and the President so appointed or elected **shall be an additional Councillor."**]	Recast to specify clearly the elected element in the different classes of Municipal Councils. Recast so as to avoid a possible interpretation that one or more salaried servants of Government should necessarily be nominated to a Municipal Council. There is no such nomination in the City Municipal Council, Bangalore. This is firstly to provide for the appointment by Government of a President who is not already a Councillor—elected or nominated; secondly, to declare such a President as well as one elected by the general body of voters, if not already a Councillor, to be an additional Councillor, and thirdly, to exclude such Presidents when calculating the elected element, in order that neither the number may be nominated to a Council is reduced by one, nor the number elected for separate [illegible] is reduced by one. Unless the President in these two cases is an additional Councillor, one or the other of these alternatives, neither of which is desirable, will follow.

23. (1) For every Municipal Council there shall be a President and, if and whenever Government so directs, one or more than one Vice-President. Where there are more Vice-Presidents than one, the Government may direct which of them is the senior for the purpose of this Regulation.

(2) The President and the Vice-President or Vice Presidents shall be selected from among the councillors; and for this purpose may be either—

(*a*) appointed by the Government by name; or

(*b*) appointed by the Government *ex-officio*, that is to say, as executing the functions of any office which the Government from time to time notifies in this behalf; or

3. After sub-section (2) of Section 13, the following new sub-section shall be inserted :—

"(3) A person shall not be qualified to be elected as a Councillor unless he is enrolled in the Municipal Election Roll and a person who is already a Councillor shall not be qualified to be a candidate at a bye-election held before his term of office as Councillor.

Provided that if any company, body corporate or other association of individuals is enrolled in the Municipal Election Roll, any one person [duly authorised in this behalf to represent such association] shall be deemed to be qualified to be elected a Councillor."

4. For Section 23 of the Regulation, the following shall be substituted :—

["(1) Every Municipal Council shall be presided over by a President who shall be either :—]

(*a*) appointed by the Government by name, or

(*b*) appointed by the Government *ex-officio* that is to say, as executing the functions of any office which the Government from time to time notifies in this behalf, or

(*c*) if the Government so directs, elected by the [Municipal Council] in accordance with such rules and conditions as may be prescribed by Government in this behalf, or

3. After Sub-section (2) of Section 13, the following new Sub-section shall be inserted :— Amendment of Section 13

"(3) A person shall not be qualified to be elected as a Councillor unless he is enrolled in the Municipal Election Roll and a person who is already a Councillor shall not be qualified to be a candidate at a bye-election held before his term of office as Councillor [expires.] Enrolment in Municipal Election Roll necessary for elected Councillor.

Provided that if any company, body corporate, or other association of individuals is enrolled in the Municipal Election Roll, any one person [who is authorised **in writing** in this behalf by such association to represent it and who is **not subject to any of the disqualifications under** this Regulation,] shall be deemed to be qualified to be elected a Councillor." Representative of Association.

4. For Section 23 of the Regulation, the following shall be substituted :— Amendment of Section 23.

["23. (1) For every Municipal Council there shall be a President, and, if and whenever Government so directs, one or more than one Vice-President. Where there are more Vice-Presidents than one, the Government may direct which of them is the senior for the purpose of this Regulation.] Every Municipal Council to have a President and if Government so directs, one or more Vice-Presidents.

[(2) The President may be—]

(*a*) appointed by the Government by name, or

(*b*) appointed by the Government *ex-officio*, that is to say, as executing the functions of any office which the Government from time to time notifies in this behalf, or

(*c*) if the Government so directs, elected by the [councillors from among their number] in accordance with such rules and conditions as may be prescribed by Government in this behalf, or

Troubles may arise as to whether a person was or was not duly authorised by an association. Such authorisation should be in writing, and for obvious reasons, the person authorised should not be subject to any disqualifications under the Regulation.

The existing provision which prescribes that every Municipal Council shall have a President and may have one or more Vice-Presidents (if so directed) is retained in preference to the amendment in the Bill which leaves it to be inferred.

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Recast, consequent on the above change.

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
(*c*) if the Government so directs, elected by the Municipal Council in accordance with such rules and conditions as may be prescribed by Government in this behalf.	(*d*) if the Government so directs, elected by persons entitled to vote under Section 13, subject to such rules and conditions as may be prescribed by the Government in this behalf.	(*d*) if the Government so directs, elected by persons entitled to vote under Section 13, subject to such rules and conditions as may be prescribed by the Government in this behalf.	Sub-clause (4)(*a*) in the Bill is omitted as it is already included in the amended Sub-Section (1).
	[(2)] * * *	[(3)] * * *	
	(4) [(*a*) There shall be a Vice-President for such Municipal Councils as the Government may direct.]		
	[(*b*).] The Vice-President shall be elected by Councillors from among their number in accordance with such rules and conditions as may be prescribed by Government in this behalf.	(4) The Vice-President shall be elected by the Councillors from among their number in accordance with such rules and conditions as may be prescribed by Government in this behalf.	
	Provided that the Government may for special reasons and in the case of such Municipal Council as it may deem fit appoint the Vice-President by name.	Provided that the Government may, for special reasons and in the case of such Municipal Councils as it may deem fit, appoint the Vice-President by name.	
(7*a*) During the period intervening the expiry of the term of a President on the reconstitution of a Municipal Council and the election or nomination as the case may be of another President, the Deputy Commissioner in the case of Municipalities at district headquarters, or the Amildar in the case of other Municipalities shall, notwithstanding anything contained in this Regulation or in the rules or notifications issued thereunder, take the place of the President until such elected or nominated President enters on his duties.	[(3)] During the period intervening the expiry of the term of a President on reconstitution of a Municipal Council and the election or nomination as the case may be, of another President, the Deputy Commissioner in the case of Municipalities at district headquarters, or the Amildar in the case of other Municipalities shall, notwithstanding anything contained in this Regulation or in the rules or notifications issued thereunder [take the place of] the President until such elected or nominated President enters on his duties.	[(5)] During the period, [if any,] intervening [between] the expiry of the term of a President on reconstitution of a Municipal Council and the election or nomination as the case may be of another President, the Deputy Commissioner in the case of [City Municipalities and] Municipalities at district headquarters, or the Amildar in the case of other Municipalities shall, notwithstanding anything contained in this Regulation or in the rules or notifications issued thereunder, [perform the functions] of the President until such elected or nominatated President enters on his duties.	When a President is elected under sub-clause (2)(*d*) above there may be no interregnum. So the words "if any" between the words "period" and "intervening" are inserted. Municipalities at district headquarters include the two City Municipalities. Hence the change. For the words "take the place" the words "perform the functions" are substituted as more appropriate and legal.

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(4) Except in the case of an *ex-officio* President or Vice-President, every President or Vice-President who, for a period exceeding three months, shall absent himself from the Municipality in such manner as to be unable to perform his duties as such President or Vice-President, shall cease to be President or Vice-President unless leave so to absent himself has been granted—

(*a*) by the Government in the case of a President or Vice-President appointed under clause (*a*) of sub-section (2),

(*b*) by the Municipal Council in the case of an elected President or Vice-President.

(5) Leave under the last preceding sub-section shall not be granted for a period exceeding six months, and whenever leave is granted to a President or Vice-President under that sub-section a Councillor shall be appointed or elected, as the case may be, to perform all the duties and exercise all the powers of a President or Vice-President during the period for which such leave is granted.

(6) Every President and every Vice-President shall be removable from his office as such President or Vice-President by the Government for misconduct, or neglect of or incapacity to perform his duty, and the term of office of every President

[(5)] Except in the case of a salaried servant of Government who is either an appointed or an *ex-officio* President every President [who for a period exceeding **three months**] and every Vice-President who for a period exceeding [**fifteen days**] shall absent himself from the Municipality in such manner as to be unable to perform his duties as such President or Vice-President, shall cease to be President or Vice-President unless leave so to absent himself has been granted—

(*a*) by the Government in the case of a **President** [appointed under clause (*a*) of sub-section (1)];

(*b*) by the Municipal Council in the case of an elected President or [of a] Vice-President.

[(6)] Leave under the last preceding sub-section shall not be granted for a period exceeding six months [and whenever leave is granted to a Vice-President under that sub-section a Councillor **shall be elected**, subject to the conditions to which the election of the Vice-President so absenting himself was subject, to perform all the duties and exercise all the powers of a Vice-President during the period for which such leave is granted].

[(7)] Every President and Vice-President shall be removable from his office as such President or Vice-President by the Government for misconduct, or neglect of or incapacity to perform his duties, [and the term of office of every President,

[(6)] Except in the case of a salaried servant of Government who is either an appointed or *ex-officio* President, every President and every Vice-President who, for a period exceeding [**two months**] shall absent himself from the Municipality in such manner as to be unable to perform his duties as such President or Vice-President, shall cease to be President or Vice-President unless leave so to absent himself has been granted— Consequences of absence of President or Vice-President without leave.

(*a*) by the Government in the case of a **President [or Vice-President appointed by Government]**,

(*b*) by the Municipal Council in the case of an elected President or Vice-President.

[(7)] Leave under the last preceding sub-section shall not be granted for a period exceeding six months. [Whenever leave is granted to a **President** and there is no Vice-President for the Council or the office of the Vice-President is vacant, the vacancy shall be filled up by election by the Council from among the Councillors, whether the President was elected under clause (*c*) or (*d*) of sub-section (2), within such period and in such manner as may be prescribed by rules framed by Government in this behalf. If **the Council fail to elect the President** or if the appointment of the President was under clause (*a*) of sub-section (2) **the Government may fill up** the vacancy. When leave is granted to a Vice-President or when he is acting for the President, the vacancy **may be filled up** by appointment or election, as the case may be, of some other Councillor thereto]. Limit of grant of leave and arrangements during leave.

[(8) The term of office of every President and of every Vice-President shall cease on the expiry of his term of office as Councillor and] every President and Vice-President shall be removable from his office as such President or Vice-President by the Government for misconduct, or neglect of or incapacity to perform his duties [**after an opportunity is afforded for hearing him.**] Term of Office of President and Vice-President and their liability to be removed.

There is no apparent reason for the difference in the period of absence of the President and Vice-President, and the period of three months is too long. A period of two months is prescribed.

A Vice-President can also be appointed by Government in certain cases. There is no provision to grant leave in such a case. This omission is rectified, by the addition of the words "or Vice-President." The words 'under clause (*a*) of sub-section (1), refer only to the President, and have therefore to be replaced by the words "by Government," as a Vice-President is also included in the clause.

Sub-clause (6) in the Bill does not provide for all the cases that may arise on the grant of leave to a President or Vice-President. It is replaced by the proposed sub-clause (7).

The sub-clause is recast to bring about a more logical order provision is also made to afford the President or Vice-President an opportunity of being heard before his removal.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

rovision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
nd of every Vice-President, shall be or a year unless the term of the ouncil expires sooner. Provided that in the case of City Iunicipalities, his term of office hall continue for three years unless is term of office as Councillor ex-ires sooner.	and of every Vice-President, shall cease on the expiry of his term of office as Councillor.]		
(7) In the event of the death, esignation or removal from office of President or Vice-President other han an *ex-officio* President or Vice-President, or of his becoming incap-ble of acting in such office or having eased to be a Councillor under sub-ection (2) of Section 15, previous o the expiry of his term of office as resident or Vice-President, the acancy shall be filled up by the ppointment or election, as the case ay be, of some other Councillor hereto.	[(8)] In the event of the death, resignation or removal from office of a President other than an *ex-officio* President, or of a Vice-President, or of his becoming incapable of acting in such office or having ceased to be a Councillor under sub-section (2) of Section 15, previous to the expiry of his term of office as President or Vice-President, the vacancy shall be filled up by the appointment or election, as the case may be, of some other Councillor thereto.	[(9)] In the event of the death, resignation or removal from office of a President other than an *ex-officio* President, or of a Vice-President, or of his becoming incapable of acting in such office or having ceased to be a Councillor under sub-section (2) of Section 15, previous to the expiry of his term of office as President or Vice-President, the vacancy shall be filled up by the appointment or election, as the case may be, of some other Councillor thereto. [For all the vacancies which are not otherwise provided for, the Government may appoint any person to perform all the duties and exercise all the powers of a President or Vice-President during such vacancy.] Vacancies in their office how to be filled up.	This is to provide for casual vacancies.
(8) The President or Vice-Presi-ent of any Municipal Council may eceive out of the Municipal Fund uch monthly salary or allowances s such Municipal Council may anction from time to time with the pproval of Government. Provided that it shall be lawful any Municipal Council to pay ut of the Municipal Fund with the anction of Government, the salary f any Government Officer whose ervices are lent for employment as ice-President or President.	[(9)] The President or Vice-President of any Municipal Council may receive out of the Municipal Fund such monthly salary or allowances as such Municipal Council may sanction from time to time with the approval of Government. [Provided that] it shall be lawful for any Municipal Council to pay out of the Municipal Fund with the sanction of Government, [the] salary [of] any Government officer [whose services are **lent for employment** as Vice-President or President.]	[(10)] The President or Vice-President of any Municipal Council may receive out of the Municipal Fund such monthly salary or allowances as such Municipal Council may sanction from time to time with the approval of Government. * It shall be lawful for any Municipal Council to pay out of the Municipal Fund with the sanction of Government, salary [or **allowances to**] any Government officer [who is **appointed** as President or Vice-President.] Remuneration of President and Vice-President of Municipal Council.	[*Recast, as this is not strictly a proviso to sub-clause (9). The words "whose services are lent for employment" are replaced by the words "who is appointed," as being more comprehensive and applicable to actual facts. The omission of 'the' and substitution of 'to' for 'of' are made as 'salary' is too restricted and not sufficiently definitive. Allowances of the officer should be included in order to provide for cases in which only an allow-ance is debited to the

f their office... matters relating to the ...dministration ...Any of the ...Officer there... ...members of a Muni... ...pal Council within the district, ...all have the right of being present ...t any meeting of such Municipal Council, and, with the consent of the Municipal Council, each of them may take part at such meeting in the discussion or consideration of any question, on which, in virtue of the duties of his office, he considers his opinion or the information which he can supply will be useful to such Municipal Council. * * * * (*b*) If it shall appear to a Municipal Council that the presence of the Executive Engineer, Educational Inspector, or **Civil Surgeon** of or in the district, is desirable for the purpose aforesaid at any future meeting of such Municipal Council, it shall be competent to such Municipal Council, by letter addressed to such officer not less than fifteen days previous to the intended meeting, to require his presence, thereat; and the said officer, unless prevented by sickness, or other reasonable cause, shall be bound to attend such meeting. * * * * *Explanation.*—The terms "Executive Engineer," "Educational Inspector" and "**Civil Surgeon**" in sub-sections (13) and (14) of this section include the Principal Engineering, Educational, and Medical Officer, respectively, in or for the district.	...ary shall be inserted after the word "Medical."]	...the words "**Chief Sanitary Officer** in a district" shall be substituted. (2) In clause (*b*) of the same sub-section, the words "**Chief Sanitary Officer**" shall be substituted for the words "Civil Surgeon." (3) For the explanation at the end of Section 26, the following shall be substituted:— "*Explanation.*—The terms "Executive Engineer" and "Educational Inspector" in sub-sections (13) and (14) of this section include the principal Engineering and Educational Officer, respectively in or for the district."]	is inaccurate. Rather than retain the words and explain them later, it is better to replace them by the words "Chief Sanitary Officer in a district" so as to bring about the desired result and exclude the Chief Sanitary Inspectors of districts. Consequent on the change made above.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

rovision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
46. Every Municipal Council hall, as soon as conveniently may e after the constitution thereof, and ubject to the provisions of Chapter XIII-A, make and may from time o time alter or rescind rules, but ot so as to render them inconsis-ent with this Regulation; (*a*) regulating the conduct of heir business and the delegation of ny of their powers or duties and, ubject to the provisions of section 7, the appointment and constitu-ion of committees; (*b*) determining, (*i*) the executive functions o be performed by the president, ice-president, the chairman of any ommittee, and subject to the pro-isions of Chapter XIII, in City Municipal Councils by the Chief Officer, and subject to the provisions f Chapter XIIIA, by the Municipal ommissioner, and the delegation f any of their powers or duties to uch persons; (*ii*) the staff of officers and ervants to be employed by the Municipal Council and the respec-ive designations, duties, salaries, ees, and absentee or other allow-nces of such officers and servants, nd the powers and duties delegated o them under Section 37;	8. The following shall be substituted for proviso (*a*) to Section 46 of the Regulation, *viz* :— "(*a*) It shall be competent for the Government to frame rules for the regulation of all or any of the matters specified in clauses (*b*) (*ii*), (*c*), (*e*), (*f*), (*g*) and (*h*) in respect of **[all or any class of Municipal Councils,]** or in respect of all or any of their employees and no rule made or any alteration or rescission of a rule made by a Municipal Council under this section shall have effect if it is repugnant to any rule made by the Government and unless and until it has been also approved by the Government."	8. The following shall be substituted for proviso (*a*) to Section 46 of the Regulation, *viz*.:— **Amendment of Section 46.** "(*a*) It shall be competent for the Government to frame rules for the regulation of all or any of the matters specified in clauses (*b*) (*ii*), (*c*), (*e*), (*f*), (*g*) and (*h*) in respect of **[any Municipal Council]** or in respect of all or any of their employees and no rule made or any alteration or rescission of a rule made by a Municipal Council under this section shall have effect if it is repugnant to any rule made by the Government and unless and until it has been also approved by the Government."	Power may be given to Government to frame rules in respect of any Council rather than any class of Municipal Councils. There may be cases when a Municipal Council falling under a certain class may not be in a position to be subjected to such rules.

(iii) mentioned in ... officer or servant from ... may be deemed expedient to require security;

(e) subject to the provisions of section 184, determining the mode and conditions of appointing, punishing or dismissing any officer or servant, and delegating to officers designated in the rules the power to appoint, fine, reduce, suspend or dismiss any officer or servant;

(f) regulating the grant of leave to officers or servants, and fixing the remuneration to be paid to the persons, if any, appointed to act for them whilst on leave;

(g) subject to the provisions of the Mysore Service Regulations and to the special orders of Government, if any, regulating the period of service of all officers and servants, and determining the conditions under which such officers and servants or any of them, shall receive pensions, gratuities, or compassionate allowances on retirement, or on their becoming disabled through the execution of their duty, and the amount of such pensions, gratuities, or compassionate allowances, and prescribing the conditions under which any gratuities, or compassionate allowances may be paid to the surviving relations of any such officers or servants whose death has been caused through the execution of their duty;

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
(*h*) authorising the payment of contributions, at such rates and subject to such conditions as may be prescribed in such rules, to any pension or provident fund which may be established by the Municipal Council or with the approval of the Municipal Council by the said officers and servants ; * * * * Provided that—(*a*) No rule made, or alteration or rescission of a rule made, under this section shall have effect unless and until it has been approved by the Government. (*b*) * * * * (*c*) * * * * 48. (1) Every Municipal Council may from time to time, with the previous sanction of the Government, make, alter or rescind bye-laws, but not so as to render them inconsistent with this Regulation— * * * * (*b*) prescribing the conditions on or subject to which, and the circumstances in which, and the areas or localities in respect of which, licenses may be granted, refused, suspended or withdrawn for the use of any place not belonging to the Municipal Council :— (*i*) as a slaughterhouse, (*ii*) as a market or shop for the sale of animals intended for human food, or of meat, or of fish, [illegible] market for the sale of fruit	9. (1) After sub-clause [(*ii*)] of clause (*b*) under sub-section (1) of Section 48, the following new [sub-clause] shall be inserted :— [" (*iii*) as a hotel, bakery, sweetmeat shop or otherwise for the preparation, manufacture or sale of articles intended for human food or drink," the present sub-clause (*iii*) being re-numbered as sub-clause (*iv*)."]	9. (1) After sub-clause [(*iii*)] of clause (*b*) under sub-section (1) of section 48, the following new [sub-clauses] shall be inserted:— Amendment of Section 48. ["(*iv*) as a dairy, hotel, restaurant, eating-house, coffee house, sweetmeat shop, bakery, boarding house, or lodging house (other than a students' hostel under public or recognised control) or for manufacturing ice or aerated waters ;] [(*v*) as a place for the **preparation or manufacture of oil** ;] [(*vi*) for **parching grain or Bengal gram** on a large scale;]	Sub-clause (1) of clause 9 of the bill is too general and would even cover any private house where food is prepared for the consumption of the inmates. The idea is to license only such places as are used for the preparation, etc., of food and drink for purposes of sale or where accommodation is given for payment. The clause is accordingly revised. *Vide* note against clause 23 of the bill.

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regulation of the conduct of business in any place used as a foresaid, so as to secure cleanliness therein or to minimise any injurious, offensive or dangerous effect arising or likely to arise therefrom;

(c) providing for the inspection of hotels, bakeries, sweetmeat shops and other places for the sale of articles intended for human food or drink other than those mentioned in clause (b) and for securing the cleanliness of such places and the wholesomeness of the articles prepared, kept or sold therein;

* * *

(m) regulating the use of public bathing and washing places within municipal limits;

(n) regulating sanitation and conservancy;

(o) regulating the disposal of carcasses of dead animals;

(p) regulating the conditions on which permission may be given for the temporary occupation of, or the erection of temporary structures on, public streets, or for projections over public streets and regulating the structure and dimensions of plinths, walls, foundations, roofs and chimneys of new bulidings, for the purpose of securing stability and the prevention of fires, and for purposes of health;

[(2) After sub-clause (*iv*) of clause (*b*) under the same sub-section, the following new sub-clause shall be added:—]

["(*v*)] or for any other purpose for which the taking out of a license is or may be prescribed."

[(3)] * * *

[(4)] In sub-section (1) of the same section, the following shall be inserted [between the clauses (*o*) and (*p*)]:—

"[(*oo*)] regulating the conditions for the construction, use and disposal of the houses intended for the poor."

[(5)] * * *

[(6) At the end of the same clause after the semicolon, the following words shall be added—"and **prescribing a time limit for the erection of buildings.**"]

[(7)] * * *

[(*vii*)] or for any other purpose for which the taking out of a license is or may be prescribed.

[(2)] * * * *

[(3)] In sub-section (1) of the same section, the following shall be inserted [after clause (n)]:— For constructing houses for the poor.

"[(nn)] regulating the conditions for the construction, use and disposal of houses intended for the poor [under clause (bb) of Section 56]."

[(4)] * * *

Omitted.

[(5)] * * * *

Sub-clause (2) of the bill has been omitted and the same included under sub-clause (1).

The proper place is after clause (*n*) and hence the change.

The substantive provision of law which relates to this clause is clause (*bb*) of section 56. Hence it is mentioned here.

It is not proposed to prescribe any time limit for buildings. The provision was inserted when the idea was to resume sites when buildings were not constructed for an indefinite period. Now that provision for resumption is not inserted in the present bill, this time limit becomes illegal.

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
59. Any Municipal Council— (*a*) after observing the preliminary procedure required by section 60, and (*b*) with the sanction of the Government, and subject to such modifications or conditions as under section 61 the Government in according such sanction deems fit, may impose, for the purpose of this Regulation, any one or more of the following taxes: that is to say, (i) a rate on buildings, or lands, or both, situate within the municipality, not exceeding in any case, * * * * (*x*) a tax on arts, professions, trades and callings and on offices and appointments, at rates not exceeding those specified in schedule, III; (*xi*) an educational cess not exceeding two annas in the rupee in the City Municipalities and one anna in the rupee in the other Municipalities on taxes levied under clauses (*i*) and (*x*) to be utilised solely for purposes of education. (*xii*) any other tax to the nature and object of which the approval of the Government shall have been obtained prior to the selection contemplated in sub-clause (*i*) of clause (*a*) of section 60.	12. (1) After clause (*x*) of section 59 of the Regulation the following new clause (*xi*) shall be inserted, the present clauses (xi) and (*xii*) being re-numbered as (*xii*) and (*xiii*), respectively:— "(*xi*) a tax on shops where business is carried on for [purposes] of profit payable half-yearly by the person or persons engaged in the business at such rates not exceeding those specified in Schedule II (A) as may be fixed by the Municipal Council concerned. Provided that where a Municipal Council elects to levy a tax under this clause, the person or perons paying the tax shall not be called upon to pay a tax on professions, trades and callings under clause (*x*) in respect of the business carried on in the shop."	12. (1) After clause (x) of section 59 of the Regulation the following new clause (xi) shall be inserted, the present clauses (xi) and (xii) being re-numbered as (xii) and (xiii), respectively:— **Amendment of Section 59** "(*xi*) a tax on shops **[and other places]** where [a] business **[or profession]** is carried on for [purpose] of profit, payable half-yearly by the peron or persons engaged in the business [or **profession**] at such rates not exceeding those specified in Schedule II (A) as may be fixed by the Municipal Council concerned. Provided that where a Municipal Council elects to levy a tax under this clause, the person or persons paying the tax shall not be called upon to pay a tax on professions, trades and callings under clause (x) in respect of the business **[or profession]** carried on in the shop **[or place]**."	A shop does not include a place where a profession is carried on. Hence the change. One of the main objects of levying shop tax instead of profession tax is to avoid secret and often unpleasant enquiry as to the income of a person who is carrying on a trade, business or profession. The alternative shop-tax now proposed dispenses with such an enquiry. The place where a trade or business or profession is carried on is proposed to be taxed. As in the case of shops, there will be different scales of taxation for places of business or profession. Also when a tax is levied under the section, there is no minimum income fixed as for profession-tax and a person so taxed will be exempt from profession-tax.

SECTION 59—PROVISO.			
Provided that. (*a*) no tax imposed as aforesaid, other than a special sanitary cess or a water-rate, shall, without the express consent of Government, be leviable in respect of any building or part of any building, or of any vehicle, animal or other property, belonging to Government and used solely for public purposes, and not used or intended to be used for purposes of profit, or in respect of any building or part of a building ordinarily used as a place of public worship or used for charitable but not residential purposes, or set apart for the occupation of His Highness the Maharaja or the Yuvaraja or in respect of any vehicle, animal or other property belonging to His Highness the Maharaja or the Yuvaraja ; and no toll shall be leviable for the passage of troops or the conveyance of Government stores or of any other Government property or property of His Highness the Maharaja or the Yuvaraja or for the passage of Military or Police Officers on duty, or the passage or conveyance of any person or property in their custody ;	(2) [for proviso (*a*) to Section 59, the following shall be substituted] :— "(*a*) no tax imposed as aforesaid, other than a special sanitary cess or water-rate shall, without the express consent of Government, be leviable in respect of— (i) any building or part of any building belonging to Government and used solely for public purposes, and not used or intended to be used for residential purposes or for purposes of profit ; (ii) any vehicle, animal or other property belonging to Government and used solely for public purposes and not used or intended to be used for purposes of profit ;	(2) [In the proviso to the same section, the following clauses shall be substituted for clause (*a*), the present clauses (*aa*), (*b*) and (*c*) being re-numbered as (*d*), (*e*) and (*f*), respectively] : — "(*a*) no tax imposed as aforesaid, other than a special Sanitary cess or water-rate shall, without the express consent of Government, be leviable in respect of— (*i*) any building or part of any building belonging to Government and used solely for public purposes and not used or intended to be used for residential purposes or for purposes of profit ; (*ii*) any vehicle, animal or other property belonging to Government and used solely for public purposes and not used or intended to be used for purposes of profit ;	Amendment of proviso (a) to section 59. No change. Calls for no remarks.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation —*contd.*

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
	(*iii*) any building or part of a building [**ordinarily**] used as a place of public worship or used for charitable, [but **not residential purposes**;]	(*iii*) any building or part of a building used as a place of public worship or used for [a] charitable [purpose;]	The word "ordinarily" is omitted to avoid different interpretations and disputes as to the degree of use for public worship. The words "but not residential" are omitted as otherwise the necessary residence of the servants and establishment of a place of worship or charitable institution would render the institution liable to taxes. Rather than exclude such residential purposes from the operation of the clause, it is considered desirable to omit the words altogether and leave the question whether such building is being used for profit, to be determined in each case, according to the facts of the case. It has also to be stated that the words "but not residential" do not occur in the corresponding sections of similar enactments in British India.
	[(*iv*) any building or part of a building **set apart for the occupation** of His Highness the Maharaja or His Highness the Yuvaraja;]	[(*b*) (*i*) no tax of any kind imposed as aforesaid shall be leviable in respect of any building or part of a building **used or intended for the occupation** of His Highness the Maharaja or His Highness the Yuvaraja or **for the location of the establishments** of His Highness the Maharaja or His Highness the Yuvaraja, or in respect of any vehicle, animal or other property belonging to His Highness the Maharaja or His Highness the Yuvaraja;]	Clauses (*b*) and (*c*) confirm the existing practice, and are in accordance with the Government Orders passed in this connection. The clauses in the Bill do not correctly represent the practice and are therefore modified.
	[(*v*) any vehicle, animal or other property belonging to His	[(*ii*) in respect of all other **buildings owned by the Palace**	

[and no toll shall be leviable for the passage of troops or the conveyance of Government stores or of any other Government property or property of His Highness the Maharaja or His Highness the Yuvaraja or for the passage of Military or Police Officers on duty, or the passage or conveyance of any person or property in their custody."]

14. After Section 81, the following Section shall be inserted:—

"81A. (1) * * *

(2) Where any toll has been leased under this section, any person employed by the lessee to collect such tolls shall, subject to the conditions of the lease, have the powers referred to in sub-sections (1) and (2) of Section 79; provided that no article distrained may be sold except under the orders of the [**President.**]"

16. After Section 84, the following section shall be inserted:—

"84A. Where the warrant is addressed outside the Municipality, the authority issuing the warrant may by endorsement direct the officer to whom the warrant is addressed to sell the property distrained and in such case it shall be lawful for such officer to sell the property and to do all things incidental to the sale and the foregoing provisions shall [be modified accordingly.] Such officer shall, after deducting all costs of recovery incurred by him, remit the amount recovered under the warrant to the authority by whom it was issued."

[(c) no toll shall be leviable for the passage of troops or the conveyance of the property of His Highness the Maharaja or His Highness the Yuvaraja or of Government stores or of any other Government property or for the passage of Military or Police Officers on duty or the conveyance of any person or property in their custody."]

14. After Section 81, the following section sall be inserted:— New Section 81A. Farming of Tolls.

"81A. (1) * * *

(2) Where any toll has been leased under this section, any person employed by the lessee to collect such tolls shall, subject to the conditions of the lease, have the powers referred to in sub-sections (1) and (2) of Section 79; provided that no article distrained may be sold except under the orders of the [**Municipal Council.**]"

16. After Section 84, the following section shall be inserted:— Addition of Section 84 A. Distraint and sale outside the Municipality.

"84A. Where the warrant is addressed outside the Municipality, the authority issuing the warrant may by endorsement direct the officer to whom the warrant is addressed to sell the property distrained and in such case it shall be lawful for such officer to sell the property and to do all things incidental to the sale and the foregoing provisions shall [apply *mutatis mutandis*]. Such Officer shall, after deducting all costs of recovery incurred by him, remit the amount recovered under the warrant to the authority by whom it was issued."

The power of sale should be exercised under the orders of the Municipal Council and not the President and the Council may, if it chooses, delegate the power to the President. This is the law in Bombay. Hence the change.

The correct legal expression is '*mutatis mutandis*' which is therefore used instead of "modified accordingly."

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
Nil	17. After Section 91, the following new Section 91A shall be inserted:—	17. After Section 91, the following new Section 91A shall be inserted:—	
	"91A. (1) It shall be **[the duty of every] Municipal Council** to prescribe a line on **[each side of every] public street** within the Municipality and the Municipal Council may from time to time prescribe a fresh line in substitution for any line so prescribed, or for any part thereof:	"91A. (1) It shall be **[lawful for any City Municipal Council** and such **other] Municipal Council** [as may be **notified** by Government in this behalf,] to prescribe a line on **[either side or both sides of any] public street** within the Municipality and the Municipal Council may from time to time prescribe a fresh line in substitution of any line so prescribed, or for any part thereof.	Addition of a New Section 91A. The regular line of Public street.
	Provided that—	Provided that—	
	(a) at least one month previous to prescribing such line or such fresh line, as the case may be, the Municipal Council shall give public notice of [the proposal] and they shall put up special notice thereof in the street or part of the street for which such line or such fresh line is proposed to be prescribed, [and]	(a) at least one month previous to prescribing such line or such fresh line, as the case may be, the Municipal Council shall **[notify the same in the Mysore Gazette** and shall] give public notice of [it] and they shall [also] put up special notice thereof in the street or part of the street for which such line or such fresh line is proposed to be prescribed;	The changes made are, firstly, that it should not be an *obligatory* duty of every Municipal Council to prescribe a line for *every* public street. The duty, should be discretionary *i.e.*, left to the option of the Council and in respect of any such street as it may deem fit. Further, the provision should apply only to City Municipalities and in exceptional cases to such other Municipalities as may be notified by Government. The clause is recast accordingly.
	(b) * * *	(b) * * * [and]	To give greater publicity the notice should be published in the *Mysore Gazette*, and it must be given as much publicity as possible, apart from the special notice to be put up in the street.
		[(c) the Municipal Council shall **prepare a map** of the area comprised within the said line and the street concerned and a **statement specifying the lands** enclosed therein which shall be open for the **inspection of the public.**]	It is necessary to prescribe the preparation of a map of the area to be open to public inspection, in order that persons interested may have a chance of representing their grievances, if any.
	(2) * * *	(2) * * *	
	(3) * * *	(3) * * *	
		[(4) If any person suffers loss by the Municipal Council not granting permission under sub-section (3) of this Section, he shall be **entitled to claim** from the Municipal Council **compensation**, which should in case of dispute be ascertained and determined in the manner provided in Section 160.]	There may be cases where after a line is prescribed under Section 91A, the municipal Council may not choose to acquire the property falling within the line and the existing street and may also decline or delay the issue of a license to the party concerned

	[(4)] Whoever contravenes the provisions of sub-section (3) shall be punished with fine which may extend to [one thousand] rupees; and the Municipal Council may— (a) direct that the building be stopped, and (b) by a written notice require such building or portion thereof to be altered or demolished as they may deem necessary."	[(5)] Whoever contravenes the provisions of Sub-section (3) shall be punished with fine which may extend to [two hundred] rupees; and the Municipal Council may— (a) direct that the building be stopped, and (b) by a written notice require such building or portion thereof to be altered or demolished as they may deem necessary."	building. In such a case and in cases where the damage is likely to be heavy, where for instance, the main portion of a building falls within the line, the party's right for compensation should be specifically defined. Hence the sub-clause. One thousand rupees is a disproportionate amount which, so far as Mysore goes, is not likely to be awarded as fine. Hence it is reduced to Rs. 200.
Nil	[18. After Section 93, the following new Section 93A shall be inserted :— "93A. No piece of land shall be used as a site for the construction of a building and no building shall be constructed or reconstructed otherwise than in accordance with the provisions of this Regulation and of any bye-laws made under this Regulation relating to the use of building sites or the erection or use of buildings; Provided that the Government may in respct of all Municipalities or with the consent of the Municipal Council, in respect of any particular Municipality or portion thereof, exempt all buildings or any class of buildings from all or any of the provisions of this Chapter or the bye-laws made thereunder."]	Omitted	*Vide* reasons on next page against clause 19 of the Bill.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

vision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
Nil	[19. After Section 93A, the following new Section 93B shall be inserted :— "93B. (1) The Municipal Council may give public notice of its intention to declare— (a) that in any streets or portions of streets specified in the notice, (i) continuous building will be allowed; (ii) the elevation and construction of the frontage of all buildings thereafter constructed or reconstructed shall, in respect of their architectural features, be such as the Municipal Council may consider suitable to the locality, or (b) that in any locality specified in the notice, the construction of only detached buildings will be allowed, or (c) that in any street, portions of streets or localities specified in the notice, the construction of shops, warehouses, factories, huts, or buildings of a specified architectural character or building destined for particular uses will not be allowed without the special permission of the Municipal Council. (2) No objections to any such declaration shall be received after a period of three months from the publication of such notice. (3) The Municipal Council shall consider all objections received within the said period and may then confirm the declaration, and before doing so, may modify it, but not so as to extend its effect.	Omitted	Sections 93A and 93B appear to have been drafted without considering duly that Section 96 provides for practically all these matters. Any additions necessary will have to be made in that Section. Hence clauses 18 and 19 are omitted and Section 96 is suitably amended. (*Vide poste,* proposed amendment of Section 96.)

96 (2) The Municipal Council may sue such orders not inconsistent ith this Regulation as they think oper with reference to the work oposed in such notice, and may ther give permission to erect or ter or add to the building accord- g to the plan and information rnished, or may impose in writing ch conditions as to level, drainage, nitation or ventilation, or with ference to the location of the ilding in relation to any street isting or projected, or, where the unicipal Council have been speci- ly empowered by Government in is behalf, such conditions as to sign or materials or to the dimen- ons or the cubical contents of the oms, as they think proper.

building in contravention of any such declaration."]

21. After Section 95, the follow- ing new section shall be added :—

"95A. The Municipal Council may require that any building used or intended to be used as a [grain shop or grain store, shall be] erect- ed so as to render such building rat- proof and may for this purpose prescribe the plan and the design to be adopted and the materials to be used for such building.

Provided that the provisions of this Section shall be enforceable only within such areas as may be notified by the Municipal Council from time to time with the previous approval of Government."

21. After Section 95, the following new section shall be added :— Addition of a new Section 95 A.

"95A. The Municipal Council may require that any build- ing, used or intended to be used as a [**warehouse for the sotrage of grain, shall be protected** or] erected so as to render such build- ing rat-proof and may for this purpose prescribe the plan and the design to be adopted and the materials to be used for such building. Rat-proof building for warehouses for storing grain.

Provided that the provisions of this Section shall be enforce- able only within such areas as may be notified by the Municipal Council from time to time with the previous approval of Government."

[For Sub-section (2) of section 96, the following shall be inserted :— Amendment of Section 96.

"(2) The Municipal Council may issue such orders not inconsistent with this Regulation as they think proper with reference to the work proposed in such notice, and may either give permission to erect or alter or add to the building according to the plan and information furnished, or may impose in writing, such conditions as to level, drainage, sanitation or ventilation, or with reference to the **location of the building in relation to any existing building or street, existing or projected, or prohibiting its use as a factory**, or, where the Municipal Council have been specially empowered by Government in this behalf, such conditi- tions as to design or materials or to the dimensions or the cubical contents of the rooms, as they think proper."] Power of Municipal Council to pass orders.

The section as worded is too wide and would cover petty retail shops as also every house where grain is kept even in small quan- tities for purposes of being used daily for food. The operation of the section should be limited to warehouses where large quantities of grain are stored, and where rats may die of infection unobserved. The operation of the section should extend not only to warehouses to be erected hereafter, but also to existing ones as is apparent from the word 'used' and hence the corresponding word 'protected' which seems to have been left out by mistake is also added. There is no real protection against plague unless existing ware- houses are also protected.

Sub-section (2) of section 96 is added to, to cover cases con- templated by Sections 93 A and 93 B which have already been omit- ted. The effect is that while building on sites could not be absolutely prohibited, which is too drastic, the provisions in Sections 93 A and 93 B *re* buildings being in a line or detached, and their architectural character are pro- vided for; and constructing a factory deleterious to health in the middle of dwelling houses can be prohibited.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

rovision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
.....	22. After Section 137, the following new section shall be inserted:— "137A. Within such limits as [the] Municipal Council may direct, no person shall keep more than **[ten] pigs** or more than **[twenty] goats** without a license from the Municipal Council. The Municipal Council may charge an annual fee not exceeding Rs. 2 for such license and may impose such conditions in respect of such license as they may think necessary. Whoever keeps any pigs or goats contrary to the provisions of this section shall be punishable with fine which may extend to Rs. 25."	22. After Section 137, the following new section shall be inserted :— "137 A. Within such limits as **[a City] Municipal Council** may direct, no person shall keep more than **[five] pigs** or more than **[ten] goats** without a license from the Municipal Council. The Municipal Council may charge an annual fee not exceeding Rs. 2 for such license and may impose such conditions in respect of such license as they may think necessary. Whoever keeps any pigs or goats contrary to the provisions of this section shall be punishable with fine which may extend to Rs. 25." Additions of a new section 137A. Licensing of goats and pigs.	Licensing of goats and pigs may be limited to the City Municipalities and the number which would necessitate a license reduced to 10 and 5, respectively.
151. If it be shown to the satisfaction of the Municipal Council that any building or place used or intended by any person to be used, * * * (i) as a brick, pottery or lime kiln; (j) for soap-making; (k) for oil boiling; * * *	23. [(1) For clause (k) of Section 151, the following shall be substituted :— (k) for boiling, pressing, cleansing, preparing or manufacturing by any process whatever, oil (edible or non-edible).] [(2) In the same section the following shall be added after clause (i) :— "(ii) for parching grain."]	Omitted	The case which led to this amendment (*vide* Mysore Chief Court Report Vol. XXIX, Pages 294-299) referred to preparing oil without a license under section 48 and not to carrying on the trade as a nuisance under this Section. The amendment in the bill goes further than was intended by the prosecution in the above case and makes the preparation, etc., of oil a nuisance, which is not always so. The question regarding parching grain is also identical (*vide* discussions at the meeting of the Legislative Council on 16th April 1923). So, in order to provide for what is actually intended, Section 48 is added
	[(3)] [(4)] * * *	Omitted.	
		[(1) (2)] *	

24. After Section 151, the following new section shall be inserted :—	24. After Section 151, the following new section shall be inserted :—	Addition of a new Section 151A. Factories in crowded localities.
"151A. (1) No person shall [newly] establish in any premises, any factory, workshop or workplace which it is intended that steam, water, electrical or other mechanical power shall be employed without the previous written permission of the Municipal Council.	"151 A. [After the passing of this Regulation, **in a City Municipality or, in any other Municipality to which** by a notification in the *Mysore Gazette* **this section is made to apply** by the Government,] no person shall establish in any premises, any factory, workshop or workplace in which it is intended that steam, water, electrical or other mechanical power shall be employed, without the previous written permission of the Municipal Council.	'Newly' is not a legal term and there may be difficulty in interpreting it. It is therefore clearly stated that the section applies to all factories, etc. which may be started after the passing of this Regulation. The operation of the section is restricted to City Municipalities and to such select Municipalities as the Government may notify.
(2) * * * *	(2) * * * *	
(3) * * * * "	(3) * * * * "	
25. After Section 151 A, the following new section shall be inserted :—	25. After Section 151 A, the following new section shall be inserted :—	Addition of a new Section 151B. Use of siren or whistle for summoning or dismissing workmen.
"151 B. (1) No person shall use or employ in any factory, or any other place, any whistle or trumpet operated by steam, mechanical means or electricity for the purpose of summoning or dismissing workmen or persons employed except under and in accordance with the conditions of a license from the Municipal Council.	"151 B. (1) [In **any City Municipality or, in any other Municipality to which** by a notification in the *Mysore Gazette* **this section is made appliable** by the Government,] no person shall use or employ in any factory, or any other place, any whistle or trumpet operated by steam, mechanical means or electricity, for the purpose of summoning or dismissing workmen or persons employed except under and in accordance with the conditions of a license from the Municipal Council.	The object is to restrict the operation of this section to City Municipalities and to such other Municipalities as Government may notify.
(2) * * * *	(2) * * * *	
(3) * * * * "	(3) * * * * "	
27. After Section 164 of the Regulation, the following new section shall be added :—	27. After Section 164 of the Regulation, the following new section shall be added :—	Addition of new Section 164A. Limitation for distraint, etc.
"164 A. No distraint shall be made, **[no suit shall be instituted]** and no prosecution shall be commenced in respect of any sum due to the Municipal Council under this Regulation after the expiration of a period of three years from the date on which such distraint might have been made, **[a suit might have been instituted]** or prosecution might first have been commenced, as the case may be, in respect of such sum."	"164 A. No distraint shall be made and no prosecution shall be commenced in respect of any sum due to the Municipal Council under this Regulation after the expiration of a period of three years from the date on which such distraint might have been made or prosecution might first have been commenced, as the case may be, in respect of such sum."	Reference to institution of suits is omitted in this section, as under section 87 of the Regulation, taxes are first charge on the property in which case the limitation is 12 years.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*contd.*

Provision in the existing Regulation	Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
Nil	28. After Section 173 of the Regulation, the following new section shall be inserted :— "173 A. The Deputy Commissioner shall have power— (1) to inspect the office of any Town or Minor Municipal Council. (2) to call for records of any Town or Minor Municipal Council [either of his own motion or on the application of an aggrieved party] and to submit the same with his opinion to Government for such orders as they may deem fit to pass, if he is satisfied that the order or proceeding of the Council or its executive is [wrong or] contrary to law."	28. After Section 173 of the Regulation, the following new section shall be inserted :— "173 A, The Deputy Commissioner shall have power— (1) to inspect the office of any Town or Minor Municipal Council. (2) to call for records of any Town or Minor Municipal Council and to submit the same with his opinion to Government for such orders as they may deem fit to pass, if he is satisfied that the order or proceeding of the Council or its executive is contrary to law."	Addition of a new Section 173A. Deputy Commissioner's power of inspection of Municipal Councils. The words "either of his own motion or on the application of an aggrieved party" are omitted. The omission does not alter the sense. Also the words "wrong or" are omitted so that the Deputy Commissioner may not interfere on questions of fact.
SCHEDULE II. (See Section 59, Clause iii.) *Maximum Rates of Tolls payable on entering the Municipal limits.* Rs. a. p. On every four-wheeled vehicle with springs. 0 8 0 On every jatka, hackery or cart laden ... 0 4 0 On every jatka, hackery or cart not laden ... 0 2 0 On every other vehicle with springs and every palanquin, bicycle or tricycle 0 4 0	30. [(1)] In Schedule II, above the words, "on every four-wheeled vehicle with springs—0-8-0" the following words shall be inserted, namely :— Rs. a. p. On every motor car ... 1 0 0 On every motor cycle [or bicycle] 0 8 0	30. In Schedule II, above the words [and figures] "on every four-wheeled vehicle with springs...Re. 0-8-0" the following words [and figures] shall be inserted, namely :— Rs. a. p. "[On every motor bus] ... ... [2 0 0] On every motor car ... ... 1 0 0 On every motor cycle ... ... 0 8 0"	This is to provide for the case of a motor bus. The words "or bicycle" are redundant and are struck out.

Nil	[(2) The following explanations shall be added as explanations 3 and 4 to Schedule II of the Regulation, *viz*:— "*Explanation 3.*—No toll shall be levied on any vehicle and animal if within a period of 24 hours counted from sunrise to sunrise a toll has been levied thereon at any other Municipal, District Fund or State toll-gate, provided that when toll has been paid in respect of any vehicle or animal not laden or unridden, the difference between such toll and the toll payable in respect of such vehicle or animal laden or ridden, shall be collected if such vehicle or animal again passes through a Municipal toll-gate, laden or ridden within such period. "*Explanation 4.*—Any Municipal Council may, with the previous sanction of Government, declare that payment of toll on vehicles or animals at any toll-gate, whether within or without Mysore, shall clear such vehicles or animals at any of their toll-gates.']	Omitted	This matter may continue to be regulated by rules as at present.

Report of the Select Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation—*concld.*

SCHEDULE II A.—(AS IN THE BILL).

(SEE SECTION 59, CLAUSE xi).

Shops		Sort				
		1st	2nd	3rd	4th	5th
		Rs.	Rs.	Rs.	Rs.	Rs.
Shops (Mundi) where all sorts of articles are sold per shop	In City Municipalities ...	50	40	30	20	..
	In other Municipalities ...	30	25	20	10	...
Shops in which piece goods are sold per shop.	In City Municipalities ...	20	15	12	8	...
	In other Municipalities ...	15	12	10	6	...
Other shops per shop	In City Municipalities ...	15	12	9	6	4
	In other Municipalities ...	12	10	7	4	2

SCHEDULE II (A.)—(AS AMENDED).

(SEE SECTION 59, CLAUSE xi).

Items		Sort					
		1st	2nd	3rd	4th	5th	6th
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. Shops (for each shop per year)	In City Municipalities ...	50	40	30	20	10	5
	In other Municipalities ...	30	25	20	10	4	2
2. Other places where business or profession is carried on for purposes of profit: (for each place per year)	In City Municipalities ...	50	40	30	20	10	5
	In other Municipalities ...	30	25	20	10	4	2